



Docket No.: 246898US0CONT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/743,479
Applicants: Manabu SUHARA, et al.
Filing Date: December 23, 2003
For: LITHIUM-COBALT COMPOSITE OXIDE, PROCESS
FOR ITS PRODUCTION, POSITIVE ELECTRODE
FOR LITHIUM SECONDARY CELL EMPLOYING
IT, AND LITHIUM SECONDARY CELL
Group Art Unit: 1754
Examiner: BOS, S.J.

SIR:

Attached hereto for filing are the following papers:

**Request for Reconsideration;
Terminal Disclaimer (executed by attorney)**

Our credit card payment form in the amount of \$130.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
MANABU SUHARA, ET AL. : EXAMINER: BOS, S. J.
SERIAL NO: 10/743,479 :
FILED: DECEMBER 23, 2003 : GROUP ART UNIT: 1754
FOR: LITHIUM-COBALT COMPOSITE :
OXIDE, PROCESS FOR ITS
PRODUCTION, POSITIVE ELECTRODE
FOR LITHIUM SECONDARY CELL
EMPLOYING IT, AND LITHIUM
SECONDARY CELL

REQUEST FOR RECONSIDERATION

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the Office Action dated May 8, 2007, Applicants respectfully request reconsideration of the above-identified application in view of the following remarks.

Claims 5-6 and 12-20 remain pending in the application.

REMARKS

The provisional rejection of Claims 5, 6 and 12-20 on the ground of nonstatutory obviousness-type double patenting over Claims 12-14 of co-pending Application No. 10/089,109, is respectfully traversed. **Submitted herewith** is a Terminal Disclaimer over the co-pending application. Accordingly, it is respectfully requested that the provisional rejection be withdrawn.

Application No. 10/743,479
Reply to Office Action of May 8, 2007

All of the presently-pending claims in this application are now believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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